


Attachment B: The following changes are required to comply with the SMA (RCW 90.58) and the SMP guidelines (WAC 173-26, Part III).

ITEM	SMP PROVISION	TOPIC	Bill Format Changes [<u>underline</u> -additions; strikethrough -deletions]	ECOLOGY - DISCUSSION/RATIONALE
1.	24.40.020 Critical Areas	Critical Areas Ordinance Referencing	B. The City of Edmonds Critical Area Ordinance, as codified in Chapters 23.40 through 23.90 ECDC (dated November 23, 2004, Ord. 3527 <u>May 3, 2016, Ord 4026</u>), are herein adopted as a part of this Program, except for the specific subsections <u>listed</u> below in ECDC 24.40.020.D. All references to the City of Edmonds Critical Area Ordinance in this Program are for this specific version. As a result of this incorporation of the Edmonds Critical Area Ordinance, the provisions of Chapters 23.40 through 23.90 ECDC, less the exceptions listed in ECDC 24.40.020.D, shall apply to any use, alteration or development within shoreline jurisdiction whether or not a shoreline permit or written statement of exemption is required. In addition to the critical area regulations in Chapters 23.40 through 23.90 ECDC (Appendix B) of this Master Program), the regulations identified in this section also apply to critical areas within shoreline jurisdiction. Where there are conflicts between the City of Edmonds Critical Area Ordinance and this Shoreline Master Program, provisions of the Shoreline Master Program shall prevail.	The revised critical areas ordinance was adopted by the City Council on May 3rd 2016. Correct referencing is needed to acknowledge the change.
2.	Appendix B	SMP Critical Area Regulations	Replace Appendix B containing the critical area regulations dated November 23, 2014, Ordinance 3527 with the critical area regulations (minus exceptions noted in item 4 below) dated May 3, 2016, Ordinance 4026.	The SMP Incorporates the revised critical areas ordinance adopted by the City Council on May 3, 2016.
3.	24.40.020 Critical Areas	CAO provisions triggered by a shoreline variance	1. Wetlands: a. ECDC 23.50.040.F.3: Any shoreline project that proposes going beyond a 25% buffer reduction through the mechanisms described in ECDC 24.40.020.E.3 would require a shoreline variance. No variance is required for wetland buffer reduction consistent with ECDC 24.40.020.E.3. b. ECDC 23.80.070.A.1.b & A.2: Buffer reduction and alterations 3. Fish and Wildlife Habitat Conservation Areas a. ECDC 23.90.040.D.2: Reduced buffer widths b. ECDC 23.90.040.D.4: Additions to structures existing within stream buffers	The revised critical areas ordinance was adopted by the City Council on May 3rd 2016. The stricken CAO sections have been updated within the new CAO. New CAO provisions do not trigger a shoreline variance.
4.	24.40.020 Critical Areas	CAO Exceptions	D. Exceptions. The specific provisions of the Critical Area Ordinance listed below shall not apply to development within shoreline jurisdiction. 1. General Provisions:	The revised critical areas ordinance was adopted by the City Council on May 3rd 2016. The stricken CAO sections have been updated within the new CAO. Many of the previous CAO exceptions no longer need to be acknowledged within the SMP.

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			<p>a. Provisions of chapter 23.40 ECDC relating to reasonable economic use of property do not apply to property with shoreline jurisdiction; specifically ECDC 23.40.000 and ECDC 23.40.210(2).</p> <p>c. ECDC 23.40.210: Variance</p> <p>e. ECDC 23.40.230: Exemptions</p> <p>2. Geologically Hazardous Areas:</p> <p>a. ECDC 23.80.040.B.1 & 2: Allowed activities in geologically hazardous areas</p> <p>2. Wetlands:</p> <p>a. ECDC 23.50.010.B: Wetland Ratings</p> <p>b. ECDC 23.50.040.F.1: Standard Buffer Widths</p> <p>c. ECDC 23.50.040.F.4: Wetland Buffer Width Averaging.</p> <p>d. ECDC 23.50.040.F.8.b: Passive Recreation</p> <p>e. ECDC 23.50.040.I: Exemptions</p> <p>f. ECDC 23.50.050.F: Mitigation Ratios</p> <p>g. ECDC 23.50.050.G: Wetlands Enhancement as Mitigation</p>	
5.	24.40.020 Critical Areas	Wetlands	<p>Delete 24.40.020.F (1) – (4).</p> <p><i>Deletions are not shown in strike-through here to save space.</i></p>	The revised critical areas ordinance was adopted by the City Council on May 3rd 2016. The stricken CAO sections have been updated within the new CAO.
6.	Part III Shoreline Environments 24.30.070 Urban Mixed Use	B. Designation Criteria 5. Urban Mixed Use IV	<p>Urban Mixed-Use IV: The Urban Mixed-Use IV designation is being established as an interim shoreline designation. <u>is appropriate for those areas bordering the Edmonds Marsh, being The marsh was identified as a shoreline of the state is new to this SMP update and was identified as a shoreline of the state</u> late in the planning process, W<u>with</u> properties within 200-feet of the salt influenced portions of the marsh now under shoreline jurisdiction (where they had not previously been so designated). Specific review of the effects of establishing a shoreline environment on existing and proposed uses around the marsh must be</p>	Changes to this regulation remove the classification of the Urban Mixed-Use IV designation as an “interim” designation, and delete the accompanying rationale. The interim designation is no longer necessary given the proposed 50 foot marsh buffer (Changes 2 and 3). The changes are consistent with the Planning Commission draft SMP which is tailored to existing conditions. The changes are consistent with the guidelines requirement

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			<p>studied.</p> <p>The south side of the marsh has been identified as the future site of the Edmonds Crossing Ferry Terminal which underwent significant environment review with a Final Environmental Impact Statement issued in 2004. On the north side of the Marsh is the Harbor Square commercial development owned by the Port of Edmonds. The SMP update process was delayed to allow the Port of Edmonds time to submit a long planned Harbor Square Master Plan for concurrent review by the City of Edmonds. The Port's proposed Harbor Square Master Plan was ultimately not adopted by the City.</p> <p>The Edmonds Marsh is also being studied for potential restoration projects including the daylighting of the Willow Creek outlet as well as the marshes role in the flooding problem at the Dayton Street/State Route 104 intersection and the role the marsh and play in a solution to the flooding problem.</p> <p>Establishing the Urban Mixed Use IV designation as an interim designation will allow the City, in cooperation with property owners, Ecology, scientists, interested agencies/organizations, and members of the public, to carefully review effects of establishing a new shoreline jurisdiction for the area around the marsh on existing and planned development as well as the ecological role the Edmonds Marsh plays in the City of Edmonds. The City intends to study the issues surrounding the Edmonds Marsh and related Urban Mixed Use IV designation for two years from the effective date of this SMP. At the end of the study period, the City will adopt appropriate shoreline environment designation(s) for the area surrounding the Edmonds Marsh including evaluating whether a new designation is needed and whether the entire area should have the same designation.</p>		<p>to base master programs on available scientific and technical information [WAC 173-26-201(2)(a)].</p> <p>One of the original objectives of the interim designation was to provide time to secure buffer enhancement grant funding for the proposed 100 foot marsh buffer /setback. An August 19, 2015 letter from Ecology's Water Quality Program clarifies that the buffer enhancement grant eligibility for the Edmonds Marsh is a minimum 35 foot buffer width.</p> <p>Further marsh studies can continue with an SMP that incorporates the required changes. Redevelopment of the Harbor Square and the Chevron sites (Edmonds Crossing Ferry Terminal) are more likely to occur along with needed buffer enhancement and storm water treatment improvements which will improve the ecological functions of the Edmonds Marsh.</p>
7. 	Part IV General Policies and Regulations 24.40.090 Shoreline Bulk and Dimensional Standards	Development Standards Table Urban Mixed Use IV		Shoreline Area Designation	The required changes align with SMP provisions from the planning commission draft recommended approach to buffers and setbacks on the Edmonds Marsh, which are tailored specifically to existing conditions. The required changes are consistent with the record developed during the SMP. Changes are required for consistency with RCW 90.58.100 and WAC 173-26-201(2)(c) and (e)
				Urban Mixed Use IV	
				Commercial and Light Industrial Development	
		Shore Setback	Shore Setback	100/50 <u>65/50</u>	

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					(protection of ecological functions and environmental impact mitigation). Ecology acknowledges the City Council amendments to the Planning Commission draft were based on a concern that buffers would be need to be 100 feet to be eligible for Ecology water quality grants. As noted in a letter from Ecology's Water program, a restoration project would be eligible based on the science-based planning commission setback of 50 feet (see letter from Ben Rau to Shane Hope, August 19, 2015).
8.	Part IV General Policies and Regulations 24.40.090 Shoreline Bulk and Dimensional Standards	Development Standards Table Footnotes	18. Setback for <u>new buildings and expansion of buildings</u> new development within the Urban Mixed-Use IV environment is 100 65 feet. <u>Redevelopment of greater than 50% for the Harbor Square property within shoreline jurisdiction and development of the site on the south border of the marsh</u> within shoreline jurisdiction require the establishment of a 50-foot vegetation buffer adjacent to the Edmonds Marsh where the vegetative buffer is absent, <u>in combination with a 15 foot structural setback</u> .		The 15 foot buffer setback is consistent with the SMP integrated critical areas regulations ECDC 24.40.280 (Building Setbacks). Also see rationale for change 2.